



HELEN F. DALTON & ASSOCIATES, P.C.
ATTORNEYS AT LAW

80-02 Kew Gardens Road, Suite 601, Kew Gardens, NY 11415

August 4, 2022

Via ECF:

The Honorable John P. Cronan, U.S.D.J.
United States District Court
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl St.
New York, NY 10007

Re: **Santos v. 27 Pizza Cafe Corp. et al**
Civil Docket No.: 22-cv-01114 (JPC)

Dear Judge Cronan:

We represent the Plaintiff in this FLSA matter, and we submit this letter motion to respectfully request an extension of time for Plaintiff to file his affidavit and/or other documentary evidence in support of his request for damages, in compliance with the Court's August 2, 2022 Order (the "Order").

By way of brief background, on August 2, 2022 Order, the Court ordered, "that by August 5, 2022, Plaintiff shall submit an affidavit or other documentary evidence in support of his request for damages," and directed that "Plaintiff shall serve Defendants with a copy of the affidavit or other documentary evidence in support of his request for damages via overnight courier and file proof of service on the docket by August 8, 2022." *See* Dkt. No. 24.

In compliance with the Order, Plaintiff served the Order on the Defendants on that same day it was entered, August 2, 2022 via UPS overnight courtier, and filed proof of service on the docket. *See* Dkt. No. 26.

Since the August 2, 2022 Order was issued, we tried reaching our client to schedule him to come to our office this week to provide an affidavit. Earlier today, however, Plaintiff informed our office that he has been away and will be away until Monday, August 8, 2022 due to a personal matter. Therefore, we have scheduled a meeting with Plaintiff for next week, in order to prepare Plaintiff's affidavit in support of his request for damages, pursuant to Order.

Therefore, we respectfully request a one-week extension of time, until Friday, August 12, 2022, in order for Plaintiff to comply with the Order and submit such affidavit in support of Plaintiff's motion.

As the Court has scheduled a hearing on the Plaintiff's motion for August 9, 2022 at 1:00 p.m. (*see* Dkt. No. 11), we believe that it may be appropriate – if the instant request is

granted – to adjourn the hearing to a date convenient for the Court following August 12, 2022 to allow Plaintiff to submit this additional information. If the hearing is adjourned, we can promptly notify the Defendants and file proof of service of such order on the Defendants as we have done through the litigation.

We thank The Court for its kind consideration on this matter and we remain available to provide any additional information.

Respectfully submitted,

Roman Avshalumov
Roman Avshalumov, Esq.

CC: all defendants via Certified, United States First-Class Mailing To:

27 PIZZA CAFE CORP. d/b/a PASTAFINA PIZZA (DOS ID: 4551489)
Attention: HASSAN EBRAHEIM

388 3RD AVENUE
NEW YORK, NY 10016

347 3RD AVENUE
NEW YORK, NY 10016

160 E 28TH ST APT 1D
NEW YORK, NY 10016

and Via Email to: HASSANE BRAHEIM@yahoo.com

Plaintiff's request is granted. Plaintiff shall file his affidavit in support of his request for damages by August 12, 2022. Plaintiff shall serve Defendants with a copy of his affidavit via overnight courier and file proof of service by August 16, 2022. The hearing on Plaintiff's motion for default judgment currently scheduled for August 9, 2022 is adjourned to August 19, 2022, at 1:00 p.m. At the scheduled time, the parties should call (866) 434-5269, access code 9176261. Plaintiff is directed to serve Defendants with a copy of this Order via overnight courier and file proof of service on the docket by August 9, 2022.

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SO ORDERED.

Date: August 5, 2022
New York, New York


JOHN P. CRONAN
United States District Judge